

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

WADDELL SMITH,

Plaintiff,

-against-

CORRECTION LIEUTENANT TROY MITCHELL and
CORRECTION SERGEANT CHRISTOPHER
FENNESSY, in their individual and official capacities as
correction Officers employed by the State of New York,

Defendants.

**STIPULATION AND
ORDER OF DISMISSAL
WITH PREJUDICE
PURSUANT TO
FEDERAL RULE OF
CIVIL PROCEDURE 41(a)**

20-CV-1374

GLS/ATB

Pursuant to Federal Rule of Civil Procedure 41(a)(1), the parties, hereby stipulate and agree that all claims against Defendants, Christopher Fennessy and Troy Mitchell, in the above-captioned action, shall be and are hereby dismissed, with prejudice. Each party shall bear its own costs and fees with respect to these claims.

The parties hereby stipulate and agree that this Stipulation may be executed in counterparts, and facsimile or electronic signatures will be deemed to be originals.

Dated: Flushing, New York
January 21, 2022



Andrew F. Plasse, Esq.
Attorney for Plaintiff Waddell Smith
163-07 Depot Road
Suite 205
Flushing, NY 11358

Dated: Buffalo, New York
January 20, 2022

s/ Diane M. Perri Roberts

Diane M Perri Roberts
Attorney for Defendant Troy Mitchell
Lipsitz Green Scime Cambria LLP
42 Delaware Avenue
Suite 120
Buffalo, NY 14202

Dated: Albany, New York
January 21, 2022

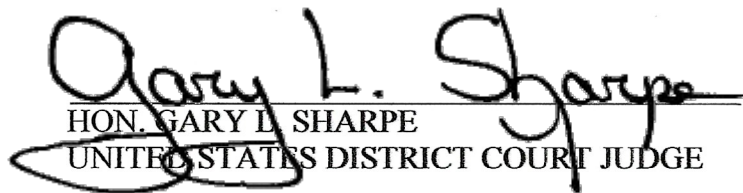
LETITIA JAMES
Attorney General of the State of New York
Attorney for Defendant Christopher Fennessy
The Capitol
Albany, New York 12224

By: *s/ Kasey K. Hildonen*

Kasey K. Hildonen
Assistant Attorney General, of Counsel
Bar Roll No. 520351
Telephone: (518) 776-2590
Fax: (518) 915-7740 (Not for service of papers.)
Email: kasey.hildonen@ag.ny.gov

Dated: Albany, New York
January 27, 2022

SO ORDERED:


HON. GARY L. SHARPE
UNITED STATES DISTRICT COURT JUDGE